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1615

PTO/SB/82 (09-04)  
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AND  
CHANGE OF CORRESPONDENCE ADDRESS**

Application Number	09/465,338
Filing Date	December 17, 1999
First Named Inventor	Kenneth ALBERT
Art Unit	1615
Examiner Name	Susan Tran
Attorney Docket Number	100338.55780US

I hereby revoke all previous powers of attorney given in the above-identified application:

☐ A Power of Attorney is submitted herewith.

OR

☒ I hereby appoint the practitioners associated with the Customer Number:

23911

☒ Please change the correspondence address for the above-identified application to:

☒ The address associated with  
Customer Number:

23911

OR

☐ Firm or  
Individual Name

Crowell & Moring LLP

Address

PO Box 14300 Washington

City

State

Zip

Country

Telephone

202-624-2500

Fax

202-628-8844

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

**SIGNATURE of Applicant or Assignee of Record**

Signature

Name

Date

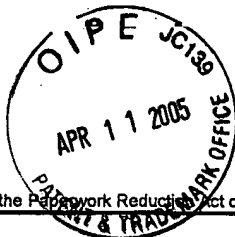
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NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☒ \*Total of 2 forms are submitted.

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### STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Kenneth ALBERT

Application No./Patent No.: 09/465,338

Filed/Issue Date: December 17, 1999

Entitled: **Chronotherapeutic Formulations of Diltiazem and the Administration Thereof**

Biovail Laboratories, Inc., a

Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 010528, Frame 0680, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

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The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

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☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Jan 25, 2005  
Date

246-437-7080  
Telephone number

Director & Secretary  
Title

Arlene Fong  
Typed or printed name

[Signature]  
Signature

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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APRIL 14, 2000

PTAS

IVOR M. HUGHES  
175 COMMERCE VALLEY DRIVE WEST  
SUITE 200  
THORNHILL, ONTARIO CANADA L3T 7P6



\*101262623A\*

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REEL/FRAME: 010528/0680  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

ALBERT, KENNETH S.

DOC DATE: 12/23/1999

ASSIGNOR:

MAES, PAUL J.

DOC DATE: 12/23/1999

ASSIGNEE:

BIOVAIL LABORATORIES INCORPORATED  
CHELSTON PARK, BUILDING #2  
COLLEYMORE ROCK  
ST. MICHAEL, BHI, WEST INDIES

BARBADOS  
WEST INDIES

SERIAL NUMBER: 09465338  
PATENT NUMBER:

FILING DATE: 12/17/1999  
ISSUE DATE:

010528/0680 PAGE 2

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ASSIGNMENT DIVISION  
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### Conveying Party(ies)

☐ Mark if additional names of conveying parties attached

Name (line 1) Albert, Kenneth S.

Execution Date  
Month Day Year

12231999

Name (line 2)

### Second Party

Name (line 1) Maes, Paul J.

Execution Date  
Month Day Year

12231999

Name (line 2)

### Receiving Party

☐ Mark if additional names of receiving parties attached

Name (line 1) Biovail Laboratories Incorporated

Name (line 2)

Address (line 1) Chelston Park, Building #2

Address (line 2) Colleymore Rock

Address (line 3) St. Michael, BHI

City

Barbados, West Indies

State/Country

Zip Code

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Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

**Correspondent Name and Address**

Area Code and Telephone Number **905-771-6414**

Name **Ivor M. Hughes**

Address (line 1) **175 Commerce Valley Drive West, Suite 200**

Address (line 2) **Thornhill, Ontario**

Address (line 3) **Canada L3T 7P6**

Address (line 4)

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Enter the total number of pages of the attached conveyance document including any attachments.

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Patent Application Number(s)

Patent Number(s)

**09/465,338**

If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

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**Patent Cooperation Treaty (PCT)**

Enter PCT application number only if a U.S. Application Number has not been assigned.

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**Number of Properties**

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# **1**

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Fee Amount for Properties Listed (37 CFR 3.41): \$ **40.00**

Method of Payment:

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Deposit Account ☐

Deposit Account

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# **08-3255**

Authorization to charge additional fees:

Yes

☒

No

☐

**Statement and Signature**

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

**Marcelo K. Sarkis, Reg. #37,015**

Name of Person Signing

*Marcelo Sarkis*  
Signature

**January 17, 2000**

Date

# Assignment

We, KENNETH STEPHEN ALBERT and PAUL JOSÉ MAES, whose full post office addresses are 87 Greenwood Lane, Mt. Kisco, N.Y. 10549, United States of America, and 1242 King's College Drive, Oakville, Ontario, L6M 2T9, Canada, respectively, in consideration of One Dollar and other good and valuable consideration, the receipt of which is hereby acknowledged, do hereby sell and assign to BIOVAIL LABORATORIES INCORPORATED, whose full post office address is Chelston Park, Building #2, Colleymore Rock, St. Michael, BHI, Barbados, West Indies, all the right, title and interest in the United States of America, in and to my invention relating to **CHRONOTHERAPEUTIC FORMULATIONS OF DILTIAZEM AND THE ADMINISTRATION THEREOF** as fully described and claimed in our application filed on December 17, 1999, for a patent for such invention and all supplementary applications, continuation applications and divisional applications thereof and to all our corresponding right, title and interest in and to any patent which may issue therefor and any and all reissues thereof.

And we, on behalf of ourselves and our heirs, executors, representatives and administrators, hereby covenant and agree to do all such lawful acts and things and to execute without further consideration such further lawful assignments, documents, assurances, applications, and other instruments as may reasonably be required by said assignee, its successors, assigns or legal representatives, to obtain any and all Letters Patent of the United States of America for said invention and vest the same in said assignee, its successors, assigns or legal representatives.

\*\*\*\*\*

WITNESS my hand and seal at the City  
of Mississauga, in the Province of Ontario  
this 23rd day of December, 1999

  
A Commissioner, Notary, etc.

  
Kenneth Stephen Albert

## Affidavit

Ivor M. Hughes  
175 Commerce Valley Drive West, Suite 200  
Thornhill, ON L3T 7P6

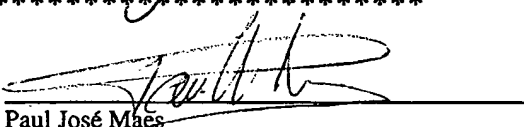
On this 23rd day of December, 1999 personally appeared before Kenneth Stephen Albert to me known to be the individual described in the foregoing instrument, and who swore before me that he executed the same.

  
A Commissioner, Notary, etc.

\*\*\*\*\*

WITNESS my hand and seal at the City  
of Mississauga, in the Province of Ontario  
this 23rd day of December, 1999

  
A Commissioner, Notary, etc.

  
Paul José Maes

## Affidavit

Ivor M. Hughes  
175 Commerce Valley Drive West, Suite 200  
Thornhill, ON L3T 7P6

On this 23rd day of December, 1999 personally appeared before Paul José Maes to me known to be the individual described in the foregoing instrument, and who swore before me that he executed the same.

  
A Commissioner, Notary, etc.